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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Daniel Dedu-Constantin

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11/30/2006

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EXAMINER

CHEN, TE Y

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/894,653

Applicant(s)

DEDU-CONSTANTIN ET AL.

Examiner

Susan Y. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,8,10,27 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 8, 10, 27, 30-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

***Response to Amendment***

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Sept. 1, 2006 has been entered.

Claims 1-2, 8, 10, 27 and 30-33 are pending for examination, claims 1, 8, 10 and 27 have been amended; and claims 30-33 have been newly added.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 8, 10, 27 and 30-33, are rejected under 35 U.S.C. 102(e) as being anticipated by Holder et al. (U.S. Patent No. 2002/0019824, hereinafter referred as Holder).

As to claim 1, Holder discloses a system for accessing data as claimed by applicant [e.g., Abstract], comprising:

- a) a parser to retrieve and parse information associated with a data source [e.g., the parser at Sections: 0014, 0021];

- b) an XML data document component adapted to receive at least part of the parsed information and having a hierarchical representation of the at least a portion of the parsed information associated with the data source [e.g., Sections: 0012-0018];

- c) a data set component and the data document component being mapped to each other to facilitate accessing the at least a portion of the parsed information in either representation [e.g., the mapping function performed by the generic processor at Section: 0038], changing the at least a portion of the parsed information in the representation accessed [e.g., the read/update operations performed by the generic processor at Section: 0039] and synchronizing these changes in the other representation [e.g., the use of a schema to synchronizing data changes at Section: 0022].

As to claim 2, in addition to the limitations recited in claim 1, Holder further discloses that the source data including at least one of an XML document and a relational database document [e.g., Sections:0050-0055].

As to claim 8, Holder discloses a system facilitating access to data as claimed by applicant [Abstract], comprising:

an XML data document component having a hierarchical representation of information associated with an XML source document [e.g., Abstract, the units: the XML tree of Fig. 1 and associated texts, Sections: 0015-0016];

a data set component having a relational representation of at least some of the information associated with the XML source document [e.g., the group.xml & the registry.xml specifications at Sections 0062-0064];

wherein the system facilitates accessing and changing information in the XML data document component and reflecting these changes in the data set component according to a mapping between the XML data document component and the data set component [e.g., Sections: 0010-0018].

As to claim 10, in addition to the limitations recited in claim 8, Holder further discloses that the system having an XML parser for retrieving information from the XML source document, the parser sending information associated with the XML source document to the XML data document component and data set component [e.g., Section: 0021, 0076, Fig. 4 and associated texts].

As to claim 27, Holder disclose a computer storage medium having computer executable components for accessing data, comprising:

a component to facilitate one or more changes made to relationally represented source document information mapped to a hierarchically represented source document information [e.g., Abstract, Fig. 1 and associated texts];

the hierarchically represented source document information parsed from an XML source document and stored in an XML data document component associated with the XML source document [e.g., Sections: 0014-0016];

The relationally represented source document information parsed from the XML source document and stored in a data set component associated with the XML source document [e.g., Sections: 0014-0018, Fig. 4 and associated texts].

As to claim 30, in addition to the limitations recited in claim 1, Holder further discloses that the data set component having a structural inference component to infer a relational structure of the data source [e.g., Sections: 0038, 0050].

As to claim 31, in addition to the limitations recited in claim 1, Holder further discloses that the data set component having a schema component to receive a schema describing a relational structure of the data source [e.g., Section: 0024-0025, 0034].

As to claim 32, in addition to the limitations recited in claim 10, Holder further discloses a structural inference component to infer a relational structure of the XML source document [Sections: 0038, 0050].

As to claim 33, in addition to the limitations recited in claim 10, Holder further discloses the data set component having a schema component to receive a schema describing a relational structure of the data source [e.g., Sections: 0024-0025, 0034].

### ***Response to Arguments***

Applicant's arguments with respect to the amended or newly added claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen  
Examiner  
Art Unit 2161



November 19, 2006